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Attorney for Clemente Garcia Barraza

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	NO. 4:21CR0325 YGR
	)	
Plaintiff,	)	<b>BARRAZA REPLY TO GOVERNMENT</b>
	)	<b>SENTENCING MEMORANDUM; LETTERS OF</b>
v.	)	<b>SUPPORT</b>
	)	
CLEMENTE GARCIA BARRAZA,	)	October 5, 2023
	)	2:00 p.m.
Defendant.	)	The Hon. Yvonne Gonzalez Rogers
	)	

The prosecution responded to Barraza's sentencing memo on September 28, 2023. While the prosecution takes the position that "the seriousness of the offense weighs in favor of 20 months imprisonment." This ignores the possibility of collateral consequences to Barraza and his family resulting from such a harsh sentence. The government takes the oft stated position that the quantity is a measure of participation. It is not. Mr. Barraza was trustworthy. He did not steal from the people with the drugs, he was consistent, he could be trusted.

Time served with a year of Supervised Release, or a probation sentence, permits Mr. Barraza to continue working and supporting his family and community. Letters from family and friends and community members have been forwarded to the probation office and the court. Mr. Barraza has not used drugs since his arrest. He has enjoyed his sobriety and the gifts it has brought to him. He is hopeful that his changed behavior and help can keep him from custody.

His wife is recovering from cancer, and he has been present and helpful to her. Custody will

1 bring consequences which will harm Mr. Barraza, and his family and community. The government  
2 concedes we can argue for any sentence. Time served and supervised release would be the best  
3 sentence for Mr. Barraza, his family, and community.  
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5  
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7 DATED: October 4, 2023

*/s/Ann McGlenon*\_\_\_\_\_  
ANN McGLENON  
Counsel for Defendant  
CLEMENTE GARCIA BARRAZA